

2011 DRAFTING REQUEST

Bill

Received: **05/19/2011**

Received By: **phurley**

Wanted: **As time permits**

Companion to LRB:

For: **Tyler August (608) 266-1190**

By/Representing:

May Contact:

Drafter: **phurley**

Subject: **Criminal Law - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.August@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Dereliction of legislative duties

Instructions:

companion to lrb 11-2046

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 05/19/2011	jdyer 05/19/2011		_____			Crime
/1			jfrantze 05/19/2011	_____	ggodwin 05/19/2011		Crime
/2	phurley 05/19/2011	kfollett 05/19/2011	mduchek 05/19/2011	_____	sbasford 05/19/2011	mbarman 05/24/2011	

FE Sent For:

None

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/?	phurley	1 ⁵ / ₁₉ jld	76	<u>5/19</u>			

FE Sent For:

<END>

Hurley, Peggy

From: Kruse, Jon
Sent: Thursday, May 19, 2011 8:51 AM
To: Hurley, Peggy
Subject: RE: Submitted: LRB 11-2046/2 Topic: Dereliction of legislative duties
Thank you!

Jon Kruse
Chief of Staff
Office of Senator Frank Lasee

phone: 608-266-3512
jon.kruse@legis.wisconsin.gov

From: Hurley, Peggy
Sent: Thursday, May 19, 2011 8:50 AM
To: Kruse, Jon
Subject: RE: Submitted: LRB 11-2046/2 Topic: Dereliction of legislative duties

Hi Jon,

I will enter that today and get a draft to that office as soon as I can.

Peggy

From: Kruse, Jon
Sent: Wednesday, May 18, 2011 5:09 PM
To: Hurley, Peggy
Cc: August, Tyler
Subject: Submitted: LRB 11-2046/2 Topic: Dereliction of legislative duties

Peggy,

Please set up Rep. Tyler August with the Assembly Companion Bill

Thanks!

Jon Kruse
Chief of Staff
Office of Senator Frank Lasee

phone: 608-266-3512
jon.kruse@legis.wisconsin.gov

5/19/2011



Keep

2/11/11

rmnr

2011 BILL

5-19-11

X

Regen

- 1 AN ACT *to amend* 946.12 (intro.); and *to create* 946.12 (6) and 971.19 (13) of the
2 statutes; **relating to:** absence without leave from a legislative session and
3 providing a penalty. ✓

Analysis by the Legislative Reference Bureau

Under this bill, a legislator who is intentionally absent without leave for three consecutive days on which a roll call vote is taken during a biennial legislative session is guilty of a felony and is subject to a fine of \$500 per day. Under the bill, venue for prosecuting this crime is any county that the legislator represents at the time he or she is absent without leave.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 946.12 (intro.) of the statutes is amended to read:

BILL

946.12 Misconduct in public office. (intro.) ~~Any~~ Except as provided in sub.
(6), any public officer or public employee who does any of the following is guilty of a
Class I felony:

SECTION 2. 946.12 (6) of the statutes is created to read:

946.12 (6) If the individual is a legislator, is intentionally absent without leave for at least 3 consecutive days on which a roll call vote is taken during a biennial legislative session. A person who violates this subsection is guilty of a felony and shall be fined \$500 per day that he or she is intentionally absent without leave.

SECTION 3. 971.19 (13) of the statutes is created to read:

971.19 (13) Notwithstanding sub. (12) or s. 971.223, in an action under s. 946.12 (6), the defendant shall be tried in a circuit court in the district he or she represents as a legislator at the time of the alleged violation of s. 946.12 (6).

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2111/2
PJH:jld&kjf
Stays

2011 BILL

by 5-20-11
T. Cook

Regen

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3 Class I felony:

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5 946.12 (6) If the individual is a legislator, is intentionally absent without leave
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7 legislative session. A person who violates this subsection is guilty of a felony and
8 shall be fined \$500 per day that he or she is intentionally absent without leave.

9 **SECTION 3.** 971.19 (13) of the statutes is created to read:

10 971.19 (13) Notwithstanding sub. (12) or s. 971.223, in an action under s.
11 ^{946.125} 946.12 (6) the defendant shall be tried in a circuit court in the district he or she
12 represents as a legislator at the time of the alleged violation of s. 946.12 (6) ^{946.125}

13 (B) (END)

946.125 Absence without leave. Any
legislator who

Barman, Mike

From: Bacher, Luke
Sent: Tuesday, May 24, 2011 8:30 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-2111/2 Topic: Dereliction of legislative duties

Please Jacket LRB 11-2111/2 for the ASSEMBLY.